

PLEA MINUTE SHEET
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO (AT LAS CRUCES)

CR 23-1105 KG		UNITED STATES vs. FABELA-FRANCO		
Before The Honorable Jerry H. Ritter, United States Magistrate Judge				
Hearing Date:	1/03/2024	Time In and Out:	9:25 a.m.-9:47 a.m. (22 min)	
Clerk:	V. RUIZ	Digital Recording:	LC-Sierra Blanca	
Defendant:	MANUEL PINEDA MONTOYA	Defendant's Counsel:	JESS LILLEY	
AUSA:	PATIENCE MOHAN	Interpreter:	N/A	<input type="checkbox"/> Sworn <input type="checkbox"/> Waived
<p><input checked="" type="checkbox"/> Defendant Sworn <input type="checkbox"/> First Appearance</p> <p><input checked="" type="checkbox"/> Consent to proceed before a magistrate judge executed with full knowledge of meaning and effect.</p> <p><input checked="" type="checkbox"/> Deft acknowledges receipt of: Indictment</p> <p><input type="checkbox"/> If Deft proceeding by way of information, Deft acknowledges right to an indictment and waives that right.</p> <p><input checked="" type="checkbox"/> Terms and conditions of proposed plea agreement explained. <input checked="" type="checkbox"/> Defendant indicates understanding of its terms.</p> <p><input checked="" type="checkbox"/> Factual predicate to sustain the plea provided.</p> <p><input checked="" type="checkbox"/> Deft questioned re Deft's age, education, physical/mental condition, and whether under the influence of alcohol, drugs, or any medication. Deft advised of charge(s), penalties and possible consequences of the plea.</p> <p><input checked="" type="checkbox"/> Deft advised of constitutional rights, loss of rights, and maximum possible penalties (including imprisonment, fine, supervised release, probation, SPA, restitution, and any forfeitures).</p> <p><input checked="" type="checkbox"/> Deft questioned re time to consult with attorney and if satisfied with his or her representation.</p> <p><input checked="" type="checkbox"/> Court finds Deft fully understands charge(s) and the consequences of entering a guilty plea to that charge (or those charges).</p> <p><input checked="" type="checkbox"/> Deft pleads GUILTY to: Indictment</p> <p><input checked="" type="checkbox"/> Allocution by Deft on elements of charge(s).</p> <p><input checked="" type="checkbox"/> Court finds plea freely, voluntarily, and intelligently made; plea of guilty accepted.</p> <p><input checked="" type="checkbox"/> Deft adjudged guilty.</p> <p><input checked="" type="checkbox"/> Acceptance of plea agreement deferred until final disposition hearing by district judge.</p> <p><input checked="" type="checkbox"/> Sentencing Date: to be notified</p> <p><input checked="" type="checkbox"/> Defendant to Remain in Custody</p> <p><input type="checkbox"/> Present conditions of release continued <input type="checkbox"/> Conditions changed to:</p> <p><input type="checkbox"/> Penalty for failure to appear explained</p> <p><input checked="" type="checkbox"/> Presentence Report Ordered <input type="checkbox"/> Expedited (Type III)</p> <p>Other Matters: DEFENDANT ENTERS GUILTY PLEA TO COUNT 3, 4 AND 6. GOVERNMENT WILL MOVE TO DISMISS COUNTS 1, 2 AND 5.</p>				